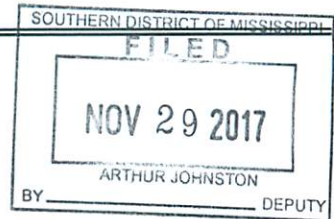


AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi



United States of America

v.

Luis Enrique Moran-Vargaz

Case No. 1:17mj 624-RHW

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 28, 2017 in the county of Jackson in the  
Southern District of MS, Southern Division, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. § 1324(a)(1)(A)(ii)

Illegal Transportation or Moving of an Alien for Commercial Advantage or Private Financial Gain

This criminal complaint is based on these facts:

See Affidavit, which is attached and incorporated by reference herein.

☒ Continued on the attached sheet.

Complainant's signature

Todd H. Holland, Border Patrol Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/29/2017

Judge's signature

City and state: Gulfport, MS

Robert H. Walker, U.S. Magistrate Judge

Printed name and title

# AFFIDAVIT

STATE OF MISSISSIPPI )  
COUNTY OF HARRISON :  
SOUTHERN DISTRICT OF MISSISSIPPI )

I, Todd H. Holland, being first duly sworn, hereby depose and say that:

1. I am a Border Patrol Agent of the United States Border Patrol, currently located at 10400 Larkin Smith Drive, Gulfport, MS. I have been a Border Patrol Agent since February 21, 2008. As part of my official duties as a Border Patrol Agent, I am assigned to investigate violations of the immigration laws as well as other statutes.

2. On 11/28/2017, I was assigned to the South Mississippi Metro Enforcement Team (SMMET) as a criminal interdiction agent. At approximately 0845, as I was leaving the Gulfport (MS) Border Patrol Station, I received a phone call from SMMET Agent Ben McQuagge with the Gautier (MS) Police Department. Agent McQuagge told me that he had a Black 2003 Dodge Ram vehicle (SC LP: JJH689) stopped on Interstate-10 eastbound at Mile Marker 58 (MM58E) for a traffic violation i.e., speeding (64 in a 60 mph construction zone while construction workers were working) and that he suspected that there was a human smuggling case taking place. I told him that I would respond to the scene, and I arrived at MM58E in Gautier, MS, approximately fifteen minutes later. When I arrived on scene, Agent McQuagge handed me six Mexican identification cards and the driver's Mexican passport. The driver was later identified as Luis Enrique MORAN-VARGAZ, a citizen of Mexico.

3. I spoke with MORAN-VARGAZ and identified myself as a SMMET agent and asked from where he was traveling and to where he was going. MORAN-VARGAZ stated that he was coming from New Orleans, LA, and was headed to Greenville, SC. MORAN-VARGAZ later admitted that he was coming from San Antonio, TX. I asked MORAN-VARGAZ if he knew the occupants of the vehicle. MORAN-VARGAZ gave me the first names of the passengers. I asked how long he had known them, and MORAN-VARGAZ told me that he had known them for approximately one year. I then asked for their last names since he had known them for a year. MORAN-VARGAZ admitted that he did not know them. I then asked if he knew that the occupants were in the United States illegally, and MORAN-VARGAZ admitted that they were in the United States illegally. I informed MORAN-VARGAZ that I was also a United States Border Patrol Agent. I questioned MORAN-VARGAZ as to his citizenship. MORAN-VARGAZ told me that he was a citizen and national of Mexico who did not possess the proper documents to be in or remain in the United States legally. I placed MORAN-VARGAZ under arrest for alien smuggling (8 USC 1324) and being present in the United States illegally (8 USC 1325.)

4. I approached the six occupants of the vehicle and noticed that they were crammed into the vehicle and that there was no luggage in the vehicle. The truck only lawfully seats five people, so not all the subjects had access to seatbelts. The occupants of the vehicle appeared to be wearing clothes as if they had recently crossed the Southwest Border. I identified myself as a United States Border Patrol Agent and questioned each of the following passengers (five males, including a

juvenile, and one adult female) regarding their citizenships: Edgardo QUINTAS-Velasco (citizen of Mexico); Juan Antonio MARTINEZ-Alonso (citizen of Mexico); Enrique MARTINEZ-Alonso (citizen of Mexico); Maximo QUINTAS-Velasco (citizen of Mexico); a juvenile male (citizen of Mexico); and Vianey CORTES-Hipolito (citizen of Mexico). All subjects admitted to being citizens and nationals of Mexico who were in the United States illegally, and none of them had immigration documents to be or remain in the United States legally. I placed these six subjects under arrest for being present in the United States illegally (8 USC 1325).

5. All Subjects were transported to the Gulfport, Mississippi Border Patrol Station for processing. MORAN-VARGAZ'S Dodge Ram was towed by Doug's Wrecker Service to their station for storage.

6. MORAN-VARGAZ was read his Miranda Warning Rights in Spanish. MORAN-VARGAZ waived his rights (signing a waiver form printed in Spanish) and agreed to speak with myself and Border Patrol Agent Marc D. Rejas. The interview was conducted in Spanish and was recorded by video. MORAN-VARGAZ admitted in the interview that he was contacted on 11/25/2017 by a man known only to him as Primo. MORAN-VARGAZ stated he was told to drive from Greenville, SC to San Antonio, TX and pick up six illegal aliens. MORAN-VARGAZ stated he picked up the illegal aliens at a McDonald's Restaurant in San Antonio, TX. MORAN-VARGAZ admitted that he was to be paid \$200 per illegal alien.

7. WHEREFORE, there is probable cause that the defendant, Luis Enrique MORAN-VARGAZ, is in violation of Title 8, United States Code, Section 1324 – Transporting Illegal Aliens, and your affiant prays that a warrant be issued for the arrest of the above named.



TODD H. HOLLAND  
Border Patrol Agent  
United States Border Patrol

Sworn to and subscribed before me this,  
the 29<sup>th</sup> day of November, 2017



ROBERT H. WALKER  
UNITED STATES MAGISTRATE JUDGE